

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

ELIZABETH FAZIO

Plaintiff(s)

v.s.

JC PENNEY, ET AL

Defendant(s)

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Civil Action No. 08-1539 (Jll)

**ORDER APPOINTING ARBITRATOR
AND SETTING DATE FOR ARBITRATION HEARING**

AND NOW, this 19th day of November, 2008 it is hereby

ORDERED pursuant to Local Civil Rule 201.1(e) and Appendix M therein, that the above civil action is herewith referred to arbitration and assigned to the following Arbitrator:

DANIEL P. MCNERNEY, ESQUIRE

McNerney & McAuliff

20 Court Street

Hackensack, New Jersey 07601

- (201) 525-1980

has been selected at random by the arbitration clerk from among those certified as arbitrators, and shall hear this case at:

2:00 P.M. on DECEMBER 12, 2008

- 20 COURT STREET

HACKENSACK, NEW JERSEY

The Arbitrator is authorized to change the time and date for the arbitration hearing provided the hearing is commenced within 30 days of the hearing date set forth in this order. Continuances beyond this 30 day period must be approved by the Court and the Clerk of the Court should be notified of any change; and it is

FURTHER ORDERED, counsel for plaintiff shall, within **10 days** upon receipt of this order, **SEND** to the Arbitrator copies of any complaint, amended complaint and answers to counterclaim; counsel for each defendant shall, within **10 days** upon receipt of this order, **SEND** to the Arbitrator any answer, amended answer, counterclaim, cross-claim and answer hereto, any third-party complaint and answer; and it is

FURTHER ORDERED, that all documentary evidence shall be marked in advance and exchanged, except for impeaching documents, pursuant to Local Civil Rule 201.1(f)(5); and it is

FURTHER ORDERED, that the above Arbitrator shall file with the Clerk of the Court within 30 days after the hearing has been concluded, the Arbitration Award which shall include a written statement and summary setting forth the basis of the Award, which shall pertain to all parties to the arbitration.

s/ Garrett E. Brown, Jr., Chief Judge

UNITED STATES DISTRICT COURT